IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ANTHONY MONEYHAM. : No. 3:16cv211

Petitioner :

(Judge Munley)

V. :

: (Magistrate Judge Saporito)

DAVID J. EBBERT,

Defendant

ORDER

AND NOW, to wit, this 26th day of November 2018, it is hereby **ORDERED** as follows:

- 1) The petitioner's objections (Doc. 16) to the report and recommendation are hereby **OVERRULED**;
- 2) The magistrate judge's report and recommendation (Doc. 13) is **ADOPTED**;
- 3) The petition for a writ of habeas corpus (Doc. 1) under 28 U.S.C. § 2241 is **DENIED**:
- 4) Because of the reasoning in the attached memorandum we decline to issue a certificate of appealability; and
 - 5) The Clerk of Court is directed to close this case.

BY THE COURT:

s/ James M. Munley
JUDGE JAMES M. MUNLEY
United States District Court